**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929**

**WP(C).No. 23783 of 2007(F)**
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**PETITIONER:**
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**SANDEEP P.N., S/O. NARAYANAN,**
**PONNAMPULLY HOUSE, P.O. EDATHIRINJI, THRISSUR DT.**

**BY ADV. SRI.V.M.KRISHNAKUMAR**
**SMT.P.A.ANITHA**

**RESPONDENTS:**
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**1. THE SECRETARY,**
**DEPARTMENT OF HOME AFFAIRS, GOVERNMENT OF KERALA,**
**SECRETARIAT, THIRUVANANTHAPURAM.**

**2. DIRECTOR GENERAL OF POLICE,**
**THIRUVANANTHAPURAM.**

**BY GOVERNMENT PLEADER SRI.NANDAKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ANTONY DOMINIC, J.**
**==========**
**W.P.(C) NO.23783 OF 2007**
**==========**

**Dated this the 3rd day of August, 2007**

**J U D G M E N T**

Petitioner is a postgraduate degree holder in Criminology and Forensic Science and according to him, Criminology and Forensic Science also ought to have been included as a qualification in the recruitment rules to the posts in the Police Department and that since these qualifications are absent in the rules, no recruitment is made from these categories, which is stated to be affecting the efficiency of the Police Department. On this basis, petitioner seeks a direction to the respondents to amend the recruitment rules incorporating the aforesaid qualifications.

2. Laying down any qualification is essentially within the domain of the Rule Making Authority or the Appointing Authority as the case may be. This Court cannot in exercise of its power under Article 226, direct inclusion of a qualification or amendment of a rule as it amounts to directing legislation. For this reason, no positive direction can be issued in this writ petition. However, it is

pointed out by the petitioner that he has submitted a representation, Ext.P4, before the respondents, which has not been attended to so far. Since Ext.P4 is stated to be pending before the respondents, it is up to the respondents to take action on his representation, about which I do not propose to express any opinion.

With the above observation, writ petition is disposed of.

**ANTONY DOMINIC, JUDGE.**

Rp